I am encouraged that the House leadership has not abandoned this worthy cause. We will have an opportunity in the opening days of this Congress to vote on a proposed amendment to the U.S. Constitution to limit our terms and send a message to the public that we are dedicated to building upon last Congress' reforms.

Mr. Speaker, support for term limits remains strong among voters. I encourage my colleagues to favorably respond to their call and vote to limit congressional terms.

INTRODUCTION OF LIVABLE WAGE ACT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. VENTO. Mr. Speaker, today I am introducing legislation intended to take a major step forward toward a livable wage for working men and women in our country. Too often American workers are forced to take jobs that pay substandard wages and have few or no health benefits. At a time when U.S. corporations are making record profits and the economy is strong and stable, it seems unreasonable that working families must struggle and cannot make ends meet. It is unconscionable for corporations to sacrifice fair wages for their workers in pursuit of inflated profit margins, and it is doubly so when these businesses are performing work on behalf of the Federal Government—when the workers' taxes which pay for Federal services and products perpetuate such depressed compensation.

My legislation is straightforward, simple and just; if you are a Federal contractor or subcontractor you will be required to pay wages to your employees that exceed the official poverty line for a family of four. This would be fair and equitable compensation achieved by law. When a business contracts for services or materials with the Federal Government and benefits from working families' taxpayer dollars, at the very least it should be required to pay its employees a livable wage.

As of March 4, 1996, the official poverty line for a family of four is $15,600. This is obviously not an exorbitant wage. Imagine a family of four trying to live on this amount or less. It may not seem possible, but it is done every day in this country. There are serious disparities in our society when hard-working men and women, holding down full-time jobs, cannot earn enough to bring their families out of the poverty cycle, while company executives earn an average of 70 times that of their average employee.

My bill does not attempt to alleviate this disparity throughout the business sector, but it does require those corporate entities receiving taxpayer dollars to be accountable to their workers. This is a reasonable and practical bill. It allows companies to count any benefits, such as health care, which they provide for employees as part of their wage determination, and it provides an exemption for small businesses and bona fide job training or apprenticeship programs.

I urge my colleagues to join me in supporting this legislation to help ensure the American worker receives a fair day's pay for a fair day's work.

THE INSPECTOR GENERAL FOR MEDICARE AND MEDICAID ACT OF 1997

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. QUINN. Mr. Speaker, I rise today to introduce the Inspector General For Medicare and Medicaid Act of 1997.

I was prompted to introduce this legislation when seniors in western New York continuously approached me at my town meetings last year with concerns about this issue. Many of us in Congress and throughout the country share their concerns that waste, fraud, and abuse within Medicare and Medicaid Programs have reached an excessive level which threatens the financial stability of our most vulnerable populations.

For instance, one of my constituents gave me copies of his personal medical statements which showed that he was billed three times for the same procedure, amounting to $2,367 in charges. Most people do not scrutinize their medical statements; which helps for fraud to be easily overlooked. in the end, seniors are forced to dip into their life savings.

My bill would establish an exclusive, full-time and independent Office of Inspector General [IG] for the Medicare and Medicaid Programs. This office would be charged with detecting, identifying and preventing waste, fraud and abuse within the Medicare and Medicaid Programs.

This IG office would be required to issue semiannual reports to Congress consisting of recommendations on preventing waste, fraud and abuse within the Medicare and Medicaid Programs.

The IG office would also be responsible for coordinating any audits, investigations, and other activities which promote efficiency in the administration of the Medicare and Medicaid Programs.

The need for this legislation comes down to dollars and cents. According to a 1995 GAO report, unchecked and improper billing alone would cost Medicare in excess of $3 billion over the next 5 years. Furthermore, health fraud has been estimated to cost between 3 and 10 percent of every $1 used to meet the health needs of America's seniors and indigent populations. I think you would agree that this funding would be better spent as a reinvestment in providing healthcare to our Nation's elderly, disabled, and poor citizens.

To further compound the problem, GAO also reported that physicians, suppliers, and medical laboratories have about 3 chances out of 1,000 of having Medicare audit their billing practices in any given year.

At the conclusion of the July 1995 GAO report to Congress, one of the main policy recommendations was to ''enhance Medicare's antifraud and abuse efforts.''

My bill simply responds to this need. I contend that with a separate IG office we can only expand on identifying and preventing fraud, waste, and abuse in healthcare. Based on HHS data, within a 4-year time frame, we have saved $115 for every $1 spent on inspector general operations.

In 1995, the Office of the IG saved $9.7 million per employee. This savings was accomplished with employees working on diversified case loads. It is my understanding that employees in the IG's office do not specialize in Medicare and Medicaid fraud, but must focus on several issues at one time. With a more specialized personnel, other HHS programs such as welfare and head start stand to benefit as well. By magnifying our focus to Medicare and Medicaid fraud, waste, and abuse, I am confident that we will see an increased return of our investment.

ROCKY MOUNTAIN NATIONAL PARK WILDERNESS

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. SKAGGS. Mr. Speaker, today I am introducing the Rocky Mountain National Park Wilderness Act of 1997.

This bill, essentially identical to ones that I introduced in the 103d and 104th Congresses, is intended to provide important protection and management direction for some truly remarkable country, adding some 240,700 acres in the park to the National Wilderness Preservation System.

Covering 91 percent of the park, the wilderness will include Longs Peaks and other major mountains, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams. Indeed, the proposed wilderness will include examples of all the natural ecosystems present in the park.

The features of these lands and waters that make Rocky Mountain a true gem in our national parks system also make it an outstanding wilderness candidate.

The wilderness boundaries for these areas are carefully located to assure continued access for use of existing roadways, buildings and developed areas, privately owned land, and water supply facilities and conveyances—including the Grand River Ditch, Long Draw Reservoir, and the portals of the Adams Tunnel. All of these are left out of wilderness.

The bill is based on National Park Service recommendations. Since these recommendations were originally made in 1974, the north and south boundaries of Rocky Mountain National Park have been adjusted, bringing into the park additional land that qualifies as wilderness. My bill will include those areas as well. Also, some changes in ownership and management of several areas, including the removal of three high mountain reservoirs, make it possible to include designation of some areas that the Park Service had found inherently suitable for wilderness.

In 1993, we in the Colorado delegation finally were able to successfully complete over a decade's effort to designate additional wilderness in our State's national forests. I anticipate that in the near future, the potentially more complex question of wilderness designations on Federal Bureau of Land Management lands will capture our attention.

Meanwhile, I think we should not further postpone resolution of the status of the lands within Rocky Mountain National Park that have been recommended for wilderness designation. Also, because of the unique nature of its resources, its current restrictive management policies, and its water rights, Rocky Mountain

National Park should be considered separately from those other Federal lands.

We all know that water rights was the primary point of contention in the congressional debate over designating national forests wilderness areas in Colorado. The question of water rights for Rocky Mountain National Park wilderness is entirely different, and is far simpler.

To begin with, it has long been recognized under the laws of the United States and of Colorado—including in a decision of the Colorado Supreme Court—that Rocky Mountain National Park already has extensive Federal reserved water rights arising from the creation of the national park itself.

Division One of the Colorado Water Court, which has jurisdiction over the portion of the park that is east of the continental divide, has already decided how extensive the water rights are in its portion of the park: the court has ruled that the park has reserved rights to all water within the park that was unappropriated at the time the park was created. As a result of this decision, in the eastern half of the park there literally is no more water with regard to which either the park or anybody else can claim a right.

So far as I have been able to find out, this has not been a controversial decision, because there is a widespread consensus that there should be no new water projects developed within Rocky Mountain National Park. And because the park sits astride the continental divide, there's no higher land around from which streams flow into the park, meaning that there is no possibility of any upstream diversions.

On the western side of the park, the water court has not yet ruled on the extent of the park's existing water rights there. However, as a practical matter, the Colorado-Big Thompson Project has extensive, senior water rights that give it a perpetual call on all the water flowing out of the park to the west and into the Colorado River and its tributaries. Thus, as a practical matter under Colorado water law, nobody can get new consumptive water rights to take water out of the streams within the western side of the park.

And it's important to emphasize that any wilderness water rights amount only to guarantees that water will continue to flow through and out of the park as it always has. This preserves the natural environment of the park. But it doesn't affect downstream water use. Once water leaves the park, it will continue to be available for diversion and use under Colorado law.

Against this backdrop, my bill deals with wilderness water rights in the following ways:

First, it explicitly creates a Federal reserved water right to the amount of water necessary to fulfill the purposes of the wilderness designation. This is the basic statement of the reserved water rights doctrine, and is the language that Congress used in designating the Olympic National Park Wilderness, in Washington, in 1988.

Second, the bill provides that in any area of the park where the United States, under existing reserved water rights, already has the right to all unappropriated water, then those existing rights shall be deemed sufficient to serve as the wilderness water rights, too. This means that there will be no need for any costly litigation to legally establish new water rights that have no real meaning. Right now, this provision would apply in the eastern half of the park. If—as I expect—the water court with jurisdiction over the western half of the court makes the same ruling about the park's original water rights that the eastern water court did, then this provision would apply to the entire park.

The bill also specifically affirms the authority of Colorado water law and its courts under the McCarran amendment. And the bill makes it clear that it will not interfere with the Adams Tunnel of the Colorado-Big Thompson Project, which is an underground tunnel that goes under Rocky Mountain National Park.

Why should we designate wilderness in a national park? Isn't park protection the same as wilderness, or at least as good?

The wilderness designation will give an important additional level of protection to most of the national park. Our National Park System was created, in part, to recognize and preserve prime examples of outstanding landscape. At Rocky Mountain National Park in particular, good Park Service management over the past 82 years has kept most of the park in a natural condition. And all the lands that over covered by this bill are currently being managed, in essence, to protect their wilderness character. Formal wilderness designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wilderness of the mountains.

This kind of protection is especially important for a park like Rocky Mountain, which is relatively small by western standards. As surrounding land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry has become an increasingly rare feature of Colorado's landscape.

Further, Rocky Mountain National Park's popularity demands definitive and permanent protection for wild areas against possible pressures for development within the park. While only about one-tenth the size of Yellowstone National Park, Rocky Mountain sees nearly the same number of visitors each year.

This bill will protect some of our Nation's finest wild lands. It will protect existing rights. It will not limit any existing opportunity for new water development. And it will affirm our commitment in Colorado to preserving the very features that make our State such a remarkable place to live.

ROCKY MOUNTAIN NATIONAL PARK
WILDERNESS ACT OF 1996—FACT SHEET

WILDERNESS BOUNDARIES

The bill will designate the Rocky Mountain National Park Wilderness, which will include 91 percent of the park. The wilderness area will include a total of 240,700 acres, in four separate sections:

The northernmost section of wilderness is 82,040 acres north of Fall River Road and east of the Grand River ditch. It includes large areas of alpine, sub-alpine-forest, wet-meadow, and montane-forest ecosystems. The dominant geographic features are the Mummy Range and Specimen Mountain. This portion of the wilderness extends to the park's north boundary, adjoining the existing Comanche Peak Wilderness on the Roosevelt National Forest.

A relatively small section of the wilderness lies between Fall River Road and Trail Ridge Road, and includes approximately 4,300 acres. This section includes forested mountainside of lodgepole pine, Englemann spruce and subalpine fir, and the park's trademark expanse of alpine tundra and sub-alpine forest.

Another fairly small section west of the Grand River Ditch, which comprises approximately 9,260 acres, is generally above timberline, featuring steep slopes and peaks of the Never Summer Mountains, including 12 peaks reaching over 12,000 feet in elevation. This area adjoins the existing Neota Wilderness on the Roosevelt National Forest and Never Summer Wilderness on the Routt National Forest.

The largest portion of the wilderness—approximately 144,740 acres—is south of Trail Ridge Road and generally bounded on the east, south, and west by the park boundary. This area contains examples of every ecosystem present in the park. The park's dramatic stretch of the Continental Divide, featuring Longs Peak (which has an elevation of 14,251 feet) and other peaks over 13,000 feet, dominate this area. Former reservoir sites at Blue Bird, Sand Beach, and Pear Lakes, previously breached and reclaimed, are included in the wilderness. The new wilderness incorporates a portion of the Indian Peaks Wilderness that was transferred to the park in 1980, when the boundary between the park and the Arapaho-Roosevelt National Forest was adjusted to follow natural features.

AREAS EXCLUDED FROM WILDERNESS DESIGNATION

The following areas are not included in the wilderness designation:

Roads used for motorized travel, water storage and conveyance structures, buildings, and other developed areas are not included in wilderness.

Parcels of privately owned land or land subject to life estate agreements in the park are also not included.

Water diversion structures (see below).

WATER RIGHTS

The legislation explicitly creates a federal reserved water right for a quantity of water sufficient to fulfill the purposes of the wilderness designation. The priority date is the date of enactment of the bill. This general provision is identical to the provision included in the 1988 legislation designating part of Olympic National Park, in the state of Washington, as wilderness.

The legislation, however, includes special provisions reflecting the unique circumstances of Rocky Mountain National Park, where a reservation on wilderness water rights is probably just a theoretical matter. A Colorado water court with jurisdiction over the portion of the park east of the Continental Divide has ruled that the federal government already has rights to all previously unappropriated water in the park, through the federal reserved water right arising from the creation of the national park. Recognizing this, a special provision of the bill provides that for this area those existing reserved water rights shall be deemed sufficient to serve as the wilderness reserved rights; this will prevent unnecessary water rights adjudication.

West of the Continental Divide, where a different water court has jurisdiction, a determination has not yet been made of the extent of the national park's existing reserved rights in that portion of the park. If that water court determines (as the water court in the east already has) that the federal government already has reserved water rights to all previously unappropriated water in the western portion of the park, then those water rights, too, would be deemed sufficient to satisfy the reservation of new wilderness water rights for that portion of the park.

However, as a legal and practical matter, the Colorado-Big Thompson Project of the Bureau of Reclamation has senior water rights outside and downstream from the park that are so extensive that the project has a perpetual call on all water flowing into the Colorado River and its tributaries from all portions of the national park west of the Contential Divide. As a result, it is not possible under Colorado law for anybody to acquire new consumptive water rights within the western half of the park, so there could not be any new water development that could be affected by the new wilderness water rights.

Further, of course, the new wilderness water rights would be only for in-stream flows (not for diversion and/or consumption), and therefore would amount only to a guarantee or continued natural water flows through and out of the park. Once water leaves the park, it would continue to be available for appropriation for other purposes of the same extent as it is now.

EXISTING WATER FACILITIES

Boundaries for the wilderness designated in this bill are drawn to exclude existing water storage and water conveyance structures, assuring continued use of Grand River Ditch and its right-of-way; the east and west portals of the Adams Tunnel of the Colorado-Big Thompson Project (CBT); CBT gaging stations; and Long Draw Reservoir. The bill includes an explicit provision guaranteeing that it will not restrict or affect the operation, maintenance, repair, or reconstruction of the Adams Tunnel, which diverts water under Rocky Mountain National Park (including lands that would be designated as wilderness by the bill). The bill also deletes a provision of the original national park designation legislation that gives the Bureau of Reclamation unrestricted authority to develop water projects within the park.

PROTECTING AMERICAN WORKERS ACT OF 1997

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. CONYERS. Mr. Speaker, the Protecting American Workers Act of 1997 will reform the current temporary employment immigration H–1B program and eliminate abuses by employers which hurt American workers. A recent audit by the Department of Labor's inspector general found that the programs which allow entry to thousands of temporary and permanent foreign workers fail to adequately protect the jobs, wages, and working condition of U.S. workers.

For far too long, employment based immigration has been used to displace American workers, instead of filling temporary employment shortages. My legislation will permit the Department of Labor to administer an employment based immigration program that serves the temporary needs of employers while at the same time protecting the American worker.

The bill will amend the H–1B skilled temporary visa program as follows:

No-Layoff provision to the H–1B program (Section 2(a)(2))—Under this section of the bill an employer will have to attest that an American worker was not laid off or otherwise displaced and replaced with H–1B nonimmigrant foreign workers within 6-months prior to filing or 90 days following the application and within 90 days before or after the filing of a petition based on that application.

Requirement to Recruit in the U.S. Labor Market (Section 2(a)(3)—Each petitioning employer will have to attest that it had attempted to recruit a U.S. worker, offering at least 100 percent of the actual wage or 100 percent of the prevailing wage, whichever is greater, paid by the employer for such workers, as well as the same benefits and additional compensation provided to similarly-employed workers by the employer.

Special rules for Dependent employers (Section 2(b))—A petitioning employer who is dependent on H–1B workers (4 or more H–1B employees in a workforce of less than 41 workers or at least 10 percent of employees if at least 41 workers):

a. would have to take ''timely, significant, and effective steps'' to recruit and retain sufficient U.S. workers to remove as quickly as reasonably possible the dependence on H–1B foreign workers.

b. would be required to pay an annual fee (based on the H–1B's annual compensation) in order to employ an H–1B worker—5% in the first year; 7.5% in the second, and 10% in the third. Fees will be paid into private industry—specific funds that would use the money solely to finance training or education programs for U.S. workers to reduce the industry's dependency on foreign workers.

Increased penalties (Section 2(c)—Penalties are increased for false H–1B employer attestations.

Job contractors obligations (Section 2(a)(5))—Petitioning employers who are job contractors (as defined by the Department of Labor), would be required to make the same attestations as would the direct employers.

Peirod of admission reduced (Section 2(d)(2))—The maximum stay under an H–1B visa is reduced to 3 years, instead of the existing 6 years.

Residence abroad requirement (Section 2(e))—H–1B workers required to have a residence abroad that they have no intention of abandoning.

For many years the hardworking American worker has been forced to compete with underpriced foreign workers. The current H–1B program allows this unfair competition to occur even on our own soil. I urge the expeditious adoption of this measure during the 105th Congress.

REPEAL THE NATIONAL VOTER REGISTRATION ACT

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. STUMP. Mr. Speaker, I am again introducing legislation to repeal the National Voter Registration Act of 1993, the so-called ''motor voter'' bill.

The law went into effect on January 1, 1995. It requires States to establish voter registration procedures to allow individuals to register to vote through the mail and when they are conducting other government-related business, such as applying for a driver's license or at certain public assistance agencies.

Supporters of motor voter have argued that easing voter registration requirements would invigorate voter turnouts. However, as last year's elections clearly displayed, the law did not meet its goal. Although massive numbers of new voters were placed on the rolls under motor voter, they did not take the initiative to cast their ballots. In fact, a mere 49 percent of eligible Americans voted, the lowest voter turnout since 1924. More than 90 million registered voters failed to vote.

While voter apathy under motor voter is unsettling, there is another, more compelling, reason to rethink the soundness of the law. It has allowed for voter fraud on a national scale. The law does not contain a provision to preclude illegal registration and voting. Moreover, motor voter creates obstacles for State election officials who are dedicated to maintaining the accuracy of their voter rolls. It requires States to keep registrants who fail to vote or who are unresponsive to voter registration correspondence to be maintained on voter registration rolls for years. As a result, children, cats, dogs, a pig, deceased people, and noncitizens registered to vote. In North Carolina, thanks to motor voter, a 14-year-old boy registered and voted. Mr. Speaker, participation in the electoral process is one of our most precious rights of citizenship. We should not make a mockery of voting by unnecessarily exposing it to fraud.

The National Voter Registration Act is nothing more than a costly and dispensable Federal mandate on the States. The States carry the responsibility of administering all elections. They should, therefore, be allowed to exercise their discretion over registration procedures free of unwarranted Federal intervention.

Motor voter has been tested and it failed miserably. I strongly encourage my colleagues to join me in repealing the law.

TRIBUTE TO THE LATE BRIAN D. MYERS, SR.

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. SOLOMON. Mr. Speaker, it's with the deepest sorrow that I note the loss of a volunteer fireman in the line of duty in our district on the first day of the year.

Brian D. Myers, Sr., was a hero in every sense of the word. They are all heroes, these men and women from all walks of life who give so generously of their time and who, as Brian Myers' loss reminds us, risk their lives to give their rural communities outstanding fire protection.

Brian Myers, Sr., was a member of the Schuyler Hose Co., which responded to a restaurant fire on New Year's Day. The details are still not known, but we do know that Myers was last seen inside the burning structure fighting the blaze. His son, Brian Jr., and another fireman were also injured.

Mr. Speaker, as a former volunteer fireman myself in my hometown of Queensbury for over 20 years, I know the sacrifices these volunteers make. Every year, they save countless lives and billions of dollars worth of property in New York State alone. Their dedication is matched by their increasing professionalism. We owe them an enormous debt of gratitude. Tragically, our debt to Brian Myers, Sr., cannot be repaid.

Typical of volunteer firemen, Myers was active in other community endeavors, especially at his church. He will be missed by his family, his fire company, and his community.

Mr. Speaker, I ask all members to join me in expressing heartfelt condolences to his